

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSCASE NO. CA05-11682L&T Yacht, Inc.
PLAINTIFFJohn Zajac

Post Marine Co., Inc.
DEFENDANTMichel Weisz

COUNSEL FOR PLAINTIFFCOUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Jury Trial - Day 4
2/21/08	Court goes over preliminary matters with the parties. Jury is brought in. Defendant calls Cortez Marks - witness
	takes the stand and is sworn in. Defendant rests. Plaintiff calls Todd Hamilton in rebuttal. Witness takes the
	stand and is reminded by the court that he remains under oath. Plaintiff rests his rebuttal case. Court
	excuses and goes over the revised verdict form and jury instructions with the parties. Court informs the
	parties that it intends to give the jurors a copy of its case specific instructions. Defendant does not object.
	Plaintiff objects to the jury getting a copy of the instructions. Jury is brought back. Defendant presents its
	closing argument. Plaintiff presents its closing argument. Court excuses the jury. Court takes up the parties
	objections to each others closings. Court tells parties it is considering telling the jury that it excluded photos
	from the plaintiff based on what it considers a possible improper argument by defense counsel on the photos
	in its closings. Court takes the morning recess. Court goes over the change in jury instructions regarding
	the burden of proof with the parties. Court will not give the jury the case specific instructions to read along
	with and will decide whether to send it back with them later. Jury is brought back in and given its
	instructions from the court. Jury is sent out to begin its deliberations at 12:02. Court is in recess.
	Jury returns a verdict in favor of the defendant at 3:20. Court directs the clerk to file and enter the same.
	Court dismisses the jury. All exhibits returned to the plaintiff.